

REMARKS

Claims 3-14, 17, 21, 22, 24, and 25 are all the claims pending in the application. Claims 15-21 were withdrawn from consideration pursuant to a restriction and an election of species requirement. Claims 4, 5, 6, 9, 17, and 22 are independent. This Amendment amends claims 3, 4, 5, 6, 7, 8, 9, 11, 13, 14, 17, 21, and 22, adds claims 24 and 25, cancels claims 1, 2, 15, 16, 18, 19, 20, and 23, and addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

Applicants thank the Examiner for acknowledging the drawings submitted May 23, 2005, and the Information Disclosure Statements mailed January 23, 2004 and July 22, 2004.

Restriction

In view of the Examiner's comments regarding withdrawn claim 17, Applicants have amended claim 17 to eliminate the ordering of the co-depositing steps and to explicitly recite the implicit concentrations using the same language as claim 1. While Applicants continue to believe that such an amendment is unnecessary based on the original language of the claims, the amendment is believed to address the issue raised by the Examiner--eliminating the order of deposition that was the basis for the restriction. *See* Action of June 16, 2005, page 2, paragraph 1. Moreover, Claim 17 is also amended to recite that one layer is n-type and the other is p-type, and to recite a relative difference between electron affinity and ionization potential between materials, such that the subject matter of claim 17 is also commensurate with amended claim 9 (claim 9 is indicated to recite allowable subject matter). In view of the amendments to claim 17, further consideration and reinstatement of claims 17 and 21 are respectfully requested.

Objections

With regard to the objection to claim 22, a definition of "comprise," in addition to meaning to "include" as commonly used in patent claims, is to "make up, compose." *See, for example*, the Oxford American Dictionary. However, to expedite prosecution, Applicants have amended claim 22 as the Examiner suggests.

Allowable Subject Matter

Applicants appreciate the indication that claims 4-6, 9, and 10 would be allowed if rewritten in independent form. To expedite prosecution, Applicants have rewritten claims 4, 5, 6, and 9 as independent claims. Claim 7 is amended to depend from claim 4. Claims 3, 8, 11,

13, and 14 are amended to depend from claim 9. Claim 24 is added to depend from claim 9. In view of these amendments, allowance of claims 3-14 and 24 is respectfully requested.

Additionally, claim 22 is amended to incorporate the limitations of claim 23, and to recite a relative difference between electron affinity and ionization potential between materials similar to that in claim 9. In view of the amendment to claim 22, reconsideration on the merits is respectfully requested.

Applicants authorize the Commissioner to charge any fees determined to be due with the exception of the issue fee and to credit any overpayment to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at (202) 220-4209 to discuss any matter concerning this application.

Respectfully submitted,

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